

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Thanimas Scott : **BK. NO.: 13 - 10366 - elf**
: :
Debtor : **Chapter 13**
: :

**DEBTOR'S MOTION TO COMPEL ACCOUNTING AND
AUDIT OF CALIBER HOME LOANS' MORTGAGE ACCOUNT**

The Debtor, Thanimas Scott, by and through her attorney, Demetrius J. Parrish, Jr., Esquire moves the Court pursuant to 11 U.S.C. § 105, 1322, 1327, and 1328 of the Bankruptcy Code, for an entry of an order to compel Caliber Home Loans to provide an authentic, genuine and verified account and audit of the Debtor's mortgage account in this matter. In support of their motion the debtor avers as follows:

1. Debtor commenced this bankruptcy by filing a voluntary petition on 1/14/2013.
2. The Debtor is the owner of a property known as 903 N. 50th Street, Philadelphia, Pa. 19131.
3. The Debtor listed the creditor Beneficial/Hfc, at the time, as a secured claim on Schedule D – Creditors Holding Secured Claims with the amount of \$57,771.00.
4. The Creditor filed a proof of claim on 6/20/2013 indicating that Debtor owed a total debtor of \$57,771.00 with arrears of \$12,840.42.
5. The Debtor's confirmed Chapter 13 Plan provided for a cure of the mortgage arrears and maintenance of current mortgage payments during the plan pursuant to 11 U.S.C. § 1322(b)(5).
6. Debtor has completed her Chapter 13 plan and is in line for a discharge.
7. The Creditor has provided information to debtor indicating that she owes approximately \$3,000.00 more than the debtor believes that she owes.

8. Debtor is unclear as to whether her pre-petition and post-petition mortgage payments were properly credited.

WHEREFORE, the Debtor requests that this Court grant an order compelling creditor, Caliber Home Loans to provide Debtor and her counsel a complete, clear legible and comprehensible and verified accounting and auditing on mortgage account xxxx9428.

/s/ Demetrius J. Parrish, Jr.
Demetrius J. Parrish, Jr., Esquire
Attorney for Debtor
7715 Crittenden Street, #360
Philadelphia, Pa. 19118
(215) 735 - 3377/(215) 827 - 5420 (fax)
Email: djpesq@gmail.com

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